

EXHIBIT A

HALE V. STATE FARM (No. 3:12-cv-00660-DRH-PMF)

-and-

AVERY V. STATE FARM (ILL. AND U.S. SUP. CTS. 2005-06, 2011)

TABLE REGARDING FACTUAL ALLEGATIONS

HALE V. STATE FARM (No. 3:12-cv-660-DRH-PMF)

-and-

AVERY V. STATE FARM (ILL. AND U.S. SUP. CTS. 2005-06, 2011)

CITATION FORMAT USED IN THE ATTACHED TABLE REGARDING FACTUAL ALLEGATIONS

The titles of the prior filings in *Avery* are cited in the attached table as follows:

- Memorandum in Support of Appellees' Conditional Motion for Non-Participation, 1/26/05 ("2005 Condt'l Mtn.");
- Affidavit of Douglas B. Wojcieszak, 1/25/05 ("1/25/05 Wojcieszak Aff.");
- Plaintiffs-Appellees' Memorandum in Response to Appellants' Opposition to Appellees' Conditional Motion for Non-Participation ("2005 Resp. to Opp. to Condt'l Mtn."), 2/4/05;
- Plaintiffs-Appellees' Memorandum in Support of Motion to Reconsider the Denial of Conditional Motion for Non-Participation and/or Recusal of Justice Karmeier, 3/22/05 ("2005 Mtn. for Recon.");
- Plaintiffs-Appellees' Petition for Rehearing, 9/8/05 ("2005 Pet. for Reh'g");
- Petition for Certiorari, 12/27/05 ("2005 Pet. for Cert.");
- Reply Brief in Support of Petition for Certiorari, 2/14/06 ("2006 Reply Pet. for Cert.");
- Petition To Recall Mandate and Vacate August 18, 2005 Judgment, 9/9/11 ("2011 Pet.");
- Affidavit of Douglas B. Wojcieszak, 7/30/11 ("7/30/11 Wojcieszak Aff."); and
- Reply in Support of Petition To Recall Mandate and Vacate August 18, 2005 Judgment, 9/29/11 ("2011 Pet. Reply").

In addition, specific pages from the prior filings in *Avery* are cited in the attached table as "SF-[number]," which corresponds to the numbering in State Farm's Appendix filed herewith.

HALE V. STATE FARM (No. 3:12-cv-00660-DRH-PMF)**-and-****AVERY V. STATE FARM (ILL. AND U.S. SUP. CTS. 2005-06, 2011)****TABLE REGARDING FACTUAL ALLEGATIONS**

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (§§ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"[In its January 31, 2005 court filing] State Farm represented (falsely) that its support of Karmeier consisted of 'quite modest contributions' and characterized as 'incorrect and meritless' the claim that State Farm had funneled \$350,000 to Karmeier. . . . State Farm denied (falsely) 'engineering contributions' to Karmeier's campaign 'for the purpose of impacting the outcome of this case' . . . and downplayed the charge that it was responsible for \$350,000 in direct contributions to Karmeier's campaign, suggesting that plaintiffs' counsel had presented 'no evidence whatsoever to back up' their claim that those contributions were made by State Farm 'front groups.'" (§ 51)</p>	<p>2011 Pet. ¶ 39, at SF-00115-16, ¶ 46, at SF-00118-19 ("[In its January 31, 2005 court filing] State Farm falsely represented its support of Justice Karmeier as consisting of 'quite modest contributions' and characterized as 'incorrect and meritless' Petitioners' claim that State Farm had funneled substantial cash contributions and peddled its enormous political influence to Justice Karmeier's benefit. . . . State Farm flatly denied 'engineering contributions' to Justice Karmeier's campaign 'for the purpose of impacting the outcome of this case' . . . and saw fit to downplay Petitioners' charge that it was responsible for \$350,000 in direct contributions to Justice Karmeier's campaign by suggesting that Petitioners' counsel had presented 'no evidence whatsoever to back up' their claim that those contributions were made by State Farm 'front groups.'"); 2005 Condt'l Mtn. at SF-00736 (\$350,000 in "direct donations"); 2005 Pet. for Reh'g at SF-01174 (same); 2005 Pet. for Cert. at SF-01214 (same); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00876 (accusing State Farm of engaging in "an effort to minimize" its support by purportedly suggesting contributions were "<i>de minim[i]s</i>."); <i>id.</i> at SF-00877 (similar); 2006 Reply Pet. for Cert. at SF-01264 n.1 (charging State Farm with "attempt[ing], without factual support, to deny its contributions").</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (§§ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"State Farm failed to inform the Court that its own employee, Defendant Shepherd, was a founding member of the ICJL Executive Committee that recruited and 'vetted' Karneier" (§ 52)</p>	<p>2011 Pet. ¶ 8, at SF-00101 ("State Farm failed to disclose the prominent role played by State Farm lawyer and lobbyist Shepherd in creating the ICJL, in hiring Murnane to head that organization, and as a charter member of the politically-powerful ICJL Executive Committee"); 2005 Cond'tl Mtn. at SF-00742-43 ("Bill Shepherd, a State Farm attorney and registered lobbyist, also plays an active role in the [ICJL] and confers often with Ed Murnane. . . . [and] attends many ICJL meetings and conference calls."); 2005 Resp. to Opp. to Cond'tl Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karneier to run for the Illinois Supreme Court and managed Justice Karneier's campaign."); 2005 Pet. for Reh'g at SF-01173 ("It is . . . not disputed that State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC]"); 2005 Pet. for Cert. at SF-01213 (same).</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"State Farm's brief was rife with misleading statements and omissions. Most notably, State Farm failed to disclose the prominent role played by Shepherd in forming the ICJL, as a member of the ICJL Executive Committee (which engineered Karmeier's candidacy, endorsed him, and insured a substantial flow of cash from State Farm executives, employees, and corporate and political partners), and as a central figure in Karmeier's campaign." (¶ 53)</p>	<p>2011 Pet. ¶ 40, at SF-00116 ("Foremost among its concealment and misleading statements is State Farm's failure to disclose to the Court the prominent role played by its lawyer and lobbyist, Bill Shepherd, in forming the ICJL, as a member of the ICJL Executive Committee, and more specifically, as a central figure in Justice Karmeier's campaign."); 2005 Cond't'l Mtn. at SF-00742-43 ("Bill Shepherd, a State Farm attorney and registered lobbyist, also plays an active role in the [ICJL] and confers often with Ed Murnane. . . . [and] attends many ICJL meetings and conference calls."); 2005 Resp. to Opp. to Cond't'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier to run for the Illinois Supreme Court and managed Justice Karmeier's campaign."); <i>id.</i> Ex. 4, at SF-00904 ("The [ICJL] has endorsed Judge Lloyd A. Karmeier . . . for the open Supreme Court seat . . ."); 2005 Pet. for Reh'g at SF-01173 ("It is . . . not disputed that State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC] . . ."); 2005 Pet. for Cert. at SF-01213 (same).</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"State Farm falsely denied Murnane's involvement in Karmeier's campaign and declared 'Mr. Murnane . . . was not Karmeier's campaign manager or campaign finance chairman and was not employed by Karmeier's campaign . . .'" (¶ 54)</p>	<p>2011 Pet. ¶ 41, at SF-00116-17 ("[I]n opposing recusal, not only did State Farm deny Murnane's involvement in Justice Karmeier's campaign but it boldly and flippantly declared 'Mr. Murnane . . . was not Justice Karmeier's campaign manager or campaign finance chairman and was not employed by Justice Karmeier's campaign. . .'" However, several lawfully obtained e-mails generated within Justice Karmeier's campaign organization unmistakably show that Murnane directed Justice Karmeier's fund raising, media relations, and speeches."); 2005 Condt'l Mtn. at SF-00744 ("Murnane and ICJL not only ran Karmeier's race but also heavily financed his campaign . . ."); 1/25/05 Wojcieszak Aff. ¶ 7, at SF-00306 ("I . . . knew Ed Murnane was calling all the shots in the Karmeier campaign during 2003 and 2004."); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier . . . and managed [his] campaign.").</p>
<p>"On August 18, 2005, Karmeier cast a vote to overturn the \$1.05 billion judgment. This vote was decisive. Absent Karmeier's participation, only those portions of the Illinois Supreme Court's opinion which were joined by one of the two dissenting Justices would have had the votes required by law to overturn the judgment, and at least part of the judgment would have stood. However, Karmeier's participation in the deliberations of the Court tainted every part of the Court's opinion." (¶ 57)</p>	<p>2011 Pet. ¶ 18, at SF-00105-06 ("August 18, 2005[:] Well over two years after the case was argued, Justice Karmeier casts his vote to overturn \$1.05 billion judgment against State Farm. . . . Absent Justice Karmeier's participation, only those portions of the court's opinion joined by one of the two dissenting Justices would have had the votes required by law to overturn the judgment, and part of the judgment would have stood."); 2005 Pet. for Reh'g at SF-01171-72 (referring to Justice Karmeier's "decisive" participation); <i>id.</i> at SF-01175-76 (same); 2005 Pet. for Cert. at SF-01216 (same).</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"State Farm, through Shepherd, and CNA, through Melchert, organized the ICJL in the early 1990's." (¶ 63)</p>	<p>2011 Pet. ¶ 38, at SF-00114-15 ("State Farm and CNA Insurance Companies ('CNA') helped organize the ICJL in the early 1990's"); 2005 Condt'l Mtn. at SF-00742 ("[State Farm's chairman] . . . created the [ICJL]"; 2005 Pet. for Reh'g at SF-01173 ("Bill Shepherd was instrumental in the foundation of [the ICJL and JUSTPAC]"); 2005 Pet. for Cert. at SF-01213 (same).</p>
<p>"Working at the direction of Shepherd and the Executive Committee, Murnane served as the principal recruiter of Karmeier." (¶ 65)</p>	<p>2011 Pet. ¶ 22, at SF-00108 ("Working at the direction of Shepherd and the ICJL Executive Committee, Murnane was the principal recruiter of Justice Karmeier to run for that seat."); 2005 Condt'l Mtn. Resp. to Opp. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier to run for the Illinois Supreme Court and managed Justice Karmeier's campaign."); 2005 Pet. for Reh'g at SF-01173 ("Mr. Murnane and his State Farm-funded and supported groups had recruited Justice Karmeier to run for [the] Court"); 2005 Pet. for Cert. at SF-01213 ("Mr. Murnane in particular . . . personally recruited Justice Karmeier to run for the Supreme Court of Illinois.").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"In one email [from a group of emails obtained from Senator David Luechtefeld's trash], Murnane told Karmeier, 'You've passed all the tryouts we need.'" (¶ 69)</p>	<p>2011 Pet. ¶ 44, at SF-00117-18 ("[H]ard copies of discarded emails lawfully obtained by investigators clearly listed Murnane's ICJL email address as 'sender' and Justice Karmeier as 'recipient' . . . confirmed to Justice Karmeier that 'You've passed all the tryouts we need.'"); 2005 Condt'l Mtn. Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen. Dave Luechtefeld"); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier to run for the Illinois Supreme Court and managed Justice Karmeier's campaign.").</p>
<p>"Another email by Murnane refers to the Executive Committee's support of Karmeier's candidacy from 'Day One,' as well as an endorsement by the Executive Committee." (¶ 70)</p>	<p>2011 Pet. ¶ 44, at SF-00117-18 ("[Another email by Murnane] stated that Murnane would be recommending Justice Karmeier's campaign to the ICJL Executive Committee which, along with the ICJL, had been 'actively supporting' Justice Karmeier's candidacy from 'Day One,,'""); 2005 Condt'l Mtn. at SF-00744 ("Murnane and ICJL not only ran Karmeier's race but also heavily financed his campaign"); 2005 Condt'l Mtn., Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen. Dave Luechtefeld"); 2005 Resp. to Opp. to Condt'l Mtn., Ex. 4, at SF-00904 ("The [ICJL] has endorsed Judge Lloyd A. Karmeier . . . for the open Supreme Court seat").</p>

Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)
"Yet another email reveals that the Executive Committee endorsed Karmerier." (¶ 71)	2011 Pet. ¶ 44, at SF-00117-18 ("[Another discarded email] discussed how the Executive Committee voted to endorse Justice Karmerier's candidacy"); 2005 Resp. to Opp. to Condt'l Mtn., Ex. 4, at SF-00904 ("The [ICJL] has endorsed Judge Lloyd A. Karmerier . . . for the open Supreme Court seat . . ."); 2005 Condt'l Mtn., Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen. Dave Luechtefeld").
"An April 29, 2004 e-mail from Murnane to Dwight Kay, Karmerier's finance chairman, shows Murnane telling Kay that it is not a 'good idea' to send out press releases about fund-raising events. Kay deferred to Murnane, who was acting as <i>de facto</i> head of the campaign." (¶ 72)	2011 Pet. Reply at SF-01589 ("This April 29, 2004 strategy e-mail from Murnane to Dwight Kay, Justice Karmerier's finance chairman, in response to Kay's email asking what Murnane thought about sending out a press release about a fundraiser, shows Murnane telling Kay that it is not a 'good idea' to send out press releases about fund-raising events. Kay plainly shows deference to Murnane, who is acting as the head of the campaign."); 2005 Condt'l Mtn., Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen. Dave Luechtefeld"); 2005 Condt'l Mtn. at SF-00744 ("Murnane and ICJL not only ran Karmerier's race but also heavily financed his campaign . . ."); 1/25/05 Wojcieszak Aff. ¶ 7, at SF-00306 ("I . . . knew Ed Murnane was calling all the shots in the Karmerier campaign during 2003 and 2004."); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmerier . . . and managed [his] campaign.").

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (§§ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"A March 15, 2004 email from Murnane to campaign aide Steve Tomaszewski and Kay, with a copy to Karameier and others, refers to a direct-mail piece, and credits JUSTPAC. This email demonstrates the support – here, financing a direct mail piece – given to Karameier's campaign by JUSTPAC." (§ 73)</p>	<p>2011 Pet. Reply at SF-01589 ("This March 15, 2004 email from Murnane to Tomaszewski and Kay, with a copy to Judge Karameier and his wife, Mary, Luechtefeld, and Adomite, refers to a direct-mail piece mailed out on the weekend of March 12-14, 2004, crediting JUSTPAC. This email also demonstrates the huge support – here, financing a direct mail piece – given to Justice Karameier's campaign by JUSTPAC."); 2005 Cond't'l Mtn. at SF-00745 (referring to direct mail campaign pieces by Illinois Coalition for Jobs, Growth and Prosperity, which was purportedly formed by ICJL and others); <i>id.</i> Ex. 56, at SF-01449-58 (direct mail pieces); <i>id.</i> Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen Dave Luechtefeld"); 2005 Resp. to Opp. to Cond't'l Mtn. at SF-00866 n.1 (referring to "devastating [direct] mail pieces").</p>
<p>"An email dated January 22, 2004 from Kay says that a contributor 'committed \$5,000 to the judge today' and would 'either send it directly to the campaign or to JUSTPAC,' confirming that a contribution to JUSTPAC was viewed as a contribution to Karameier." (§ 74)</p>	<p>2011 Pet. Reply at SF-01590 ("This email, dated January 22, 2004, from Kay, says that a contributor 'committed \$5,000 to the judge today' and would 'either send it directly to the campaign or to JUSTPAC.' This email confirms that a contribution to JUSTPAC was viewed within Justice Karameier's campaign organization as a contribution to Justice Karameier."); 2005 Cond't'l Mtn., Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen. Dave Luechtefeld"); 2005 Pet. for Reh'g at SF-01173-74 ("[D]onations [to JUSTPAC] . . . were, the equivalent of direct contributions to Justice Karameier's campaign"); 2005 Pet. for Cert. at SF-01214 (same).</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (§§ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"A January 20, 2004 email from Murnane to Karmeier, Kay and Tomaszewski refers to two contributors, including JUSTPAC, and tells Karmeier, 'close your eyes, Judge,' in response to an email from Karmeier in which he writes about getting lawyers to contribute by not disclosing their names. This email shows that Murnane provided information to Karmeier regarding contributors." (§ 75)</p>	<p>2011 Pet. Reply at SF-01590 ("This January 20, 2004 email from Murnane to Justice Karmeier, Kay, and Tomaszewski refers to contributions made by two contributors, including JUSTPAC, and tells Justice Karmeier, 'close your eyes, Judge.' This email was in response to an email from Justice Karmeier in which he writes about how to get lawyers to contribute by not having to disclose their names. This email evidences that Murnane provided information to Justice Karmeier during the campaign regarding contributors and contributions."); 2005 Cond't'l Mtn. at SF-00739-40 ("Justice Karmeier . . . was told specific names of contributors and the amounts they donated by his campaign."); <i>id.</i> at SF-00740 ("Justice Karmeier discussed campaign donations – who made them and how much they gave – with Ed Murnane."); <i>id.</i> Ex. 13, at SF-01337 (discussing "e-mails and other items . . . taken from trash outside the office of . . . Sen Dave Luechtefeld").</p>

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<p>"[T]hree Illinois tort reform-insiders – Karmeier's 2004 campaign consultant, Al Adomite, and Executive Committee members Karen Melchert and Kim Maisch – told Reece that State Farm's support of Karmeier was 'significant' and 'tremendous'" (§ 76)</p>	<p>2011 Pet. ¶ 30, at SF-00111 ("[T]hree Illinois tort reform-insiders – Justice Karmeier's 2004 campaign consultant, Al Adomite, and ICJL Executive Committee members Karen Melchert and Kim Maisch – candidly explained to Reece that State Farm's support of Justice Karmeier's campaign was considerable, referring to State Farm's support as either 'significant' or 'tremendous.'"); 2005 Condt'l Mtn. at SF-00736-39, SF-00744-46 (describing purported donations directly and indirectly by State Farm); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00871 (alleging "[m]assive [d]onations"); <i>id.</i> at SF-00870-79 (describing "[a]dditional [d]evelopments" regarding purported donations directly and indirectly by State Farm); 2005 Mtn. for Recon. at SF-01109 (alleging "new" evidence of purported direct and indirect support by State Farm); <i>id.</i> at SF-01114 (alleging "heavy involvement of State Farm . . . and its supporters"); 2005 Pet. for Reh'g at SF-01172 (alleging "huge support . . . by State Farm and its supporters"); 2005 Pet. for Cert. at SF-01216, SF-01218 (similar); 2006 Reply Pet. for Cert. at SF-01264 (similar).</p>

Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"The contributions – direct and in-kind – now known to have originated from State Farm or its political partners, include, as described below:</p> <ul style="list-style-type: none"> • \$350,000 in contributions originally described by <i>Avery's</i> counsel in their January 2005 recusal motion . . . ; • \$1,190,452.72 in contributions raised by the ICJL through its fundraising vehicle, JUSTPAC, to Citizens for Karmeier; • \$1,000,000 State Farm contribution to the U.S. Chamber; and • \$719,000 in undisclosed in-kind contributions from the ICJL to Citizens for Karmeier (¶ 77) 	<p>2011 Pet., 7/30/11 Wojcieszak Aff. ¶ 52, at SF-00298 ("The \$3.2 <i>million</i> in contributions – both 'direct' and 'in-kind' – which either originated from State Farm or from a State Farm-controlled political partners ICJL and U.S. Chamber and which ultimately reached the 'Citizens for Karmeier' political committee include:</p> <ul style="list-style-type: none"> • the \$350,000 in contributions originally described by Avery's counsel in their January 2005 recusal motion . . . ; • the \$1,000,000 State Farm contribution to the U.S. Chamber; • \$719,000 in undisclosed in-kind contributions from the ICJL to 'Citizens for Karmeier,' which includes Murnane's salary and media and other support for Judge Karmeier's campaign; and • \$1,190,452.72 in contributions raised by the ICJL through its fundraising vehicle, JUSTPAC, to Citizens for Karmeier.") <p><i>See also</i> 2005 Condt'l Mtn. at SF-00736 ("direct donations" of over \$350,000"); Pet. for Reh'g at SF-01174 (U.S. Chamber of Commerce contributions of "over \$1.3 million"); 2005 Condt'l Mtn. at SF-00742-44 (JUSTPAC donations of "at least" \$1,000,000); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00873 ("[A]dditional evidence has been discovered which reveals the substantial work that Ed Murnane, the [ICJL], and their surrogates did on behalf of Karmeier which did not have to be reported. . . [including] \$200,000 to \$230,000 to run . . . commercials").</p>

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<p>"In view of Shepherd's prominent role with the ICJL, those funds [the nearly \$1.2 million contributed by JUSTPAC] can now be attributed to State Farm, as it controlled the ICJL and JUSTPAC." (§ 78)</p>	<p>2011 Pet. ¶ 49, at SF-00119-20 ("[I]n view of State Farm's Shepherd's prominent role with the ICJL, the \$1,191,453 contributed by the ICJL's PAC (JUSTPAC) to Justice Karameier's campaign may now be attributed to State Farm, as State Farm controlled the ICJL and JUSTPAC."); 2005 Cond't'l Mtn. at SF-00742 ("[The CEO of State Farm] and his IBRT colleagues created the [ICJL] [and] hired . . . the group's first and current President, Ed Murnane . . ."); <i>id.</i> at SF-00742-43 ("Bill Shepherd, a State Farm attorney and registered lobbyist, also plays an active role in the [ICJL] and confers often with Ed Murnane. . . . [and] attends many ICJL meetings and conference calls."); 2005 Pet. for Reh'g at SF-01173 ("State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC] . . ."); <i>id.</i> at SF-01173-74 ("[D]onations [to JUSTPAC] . . . were, the equivalent of direct contributions to Justice Karameier's campaign"); 2005 Pet. for Cert. at SF-01214 (same).</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"Shepherd's affiliation with the ICJL was not confirmed until September 19, 2011, when State Farm submitted and served its response to the petition to recall the mandate and vacate the August 18, 2005 judgment, admitting Shepherd's affiliation with the Executive Committee." (¶ 79)</p>	<p>2011 Pet. Reply at SF-01569 ("For the first time, State Farm concedes in its response that its own employee – Shepherd – was a charter member of the committee which runs the ICJL.").</p> <p><i>Compare</i> Plaintiffs' assertions in 2012 that "Shepherd's affiliation with the ICJL was not confirmed until September 19, 2011" <i>with</i> 1/25/05 Wojcieszak Aff. ¶ 3, at SF-00304 ("I saw Bill at several [ICJL] meetings during 2000 . . . and he was part of many conference calls."); 2005 Cond't'l Mtn. at SF-00742-43 ("Bill Shepherd, a State Farm attorney and registered lobbyist, also plays an active role in the [ICJL] and confers often with Ed Murnane. . . . [and] attends many ICJL meetings and conference calls."); 2005 Pet. for Reh'g at SF-01173 ("State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC]"); 2005 Pet. for Cert. at SF-01213 (same).</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"Plaintiffs' counsel did not know that Shepherd had helped choose Murnane – JUSTPAC's treasurer – as ICJL President until or about on or about December 2010, when it was uncovered by Reece." (¶ 79)</p>	<p>2011 Pet. ¶ 49, at SF-00119-20 ("Avery's counsel . . . were not aware of Shepherd's affiliation with the ICJL (as a founder and Executive Committee member), or that Shepherd had helped choose Murnane – JUSTPAC's treasurer – as head of the ICJL.").</p> <p><i>Compare</i> Plaintiffs' assertions in 2011 that Avery's counsel were not aware of Mr. Shepherd's affiliation with ICJL or connection to Mr. Murnane <i>with</i> 1/25/05 Wojcieszak Aff. ¶ 3, at SF-00304 ("I saw Bill at several [ICJL] meetings during 2000 . . . and he was part of many conference calls."); 2005 Condt'l Mtn. at SF-00742-43 ("Bill Shepherd, a State Farm attorney and registered lobbyist, also plays an active role in the [ICJL] and confers often with Ed Murnane. . . . [and] attends many ICJL meetings and conference calls."); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier to run for the Illinois Supreme Court and managed Justice Karmeier's campaign."); 2005 Pet. for Reh'g at SF-01173 ("State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC] . . .").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"State Farm steered JUSTPAC contributions to Citizens of Karmeier. State Farm and CNA founded the ICJL. Shepherd helped hire Murnane to head the ICJL and was State Farm's representative on the Executive Committee. The Executive Committee recruited and vetted Karmeier, and the Executive Committee officially-endorsed and raised funds for him." (¶ 80)</p>	<p>2011 Pet. Reply at SF-01586 ("... there is undisputed evidence . . . that State Farm steered the JUSTPAC contributions to 'Citizens of Karmeier.' Here's why: State Farm and CNA founded the ICJL. Shepherd hired Murnane to head the ICJL. Shepherd was State Farm's representative on the Executive Committee which runs the ICJL. Members of the Executive Committee, Shepherd among them, recruited Justice Karmeier, 'vetted' Justice Karmeier, and the Executive Committee officially endorsed Justice Karmeier. They raised funds for Justice Karmeier."); 2005 Cond't'l Mtn. at SF-00733 ("JUSTPAC provided, over a million dollars to Justice Karmeier's campaign. State Farm is a leading contributor to the [ICJL]."); <i>id.</i> at SF-00742 ("[The CEO of State Farm] and his IBRT colleagues created the [ICJL] [and] hired . . . the group's first and current President, Ed Murnane . . ."); 2005 Resp. to Opp. to Cond't'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karmeier to run for the Illinois Supreme Court and managed Justice Karmeier's campaign."); 2005 Pet. for Reh'g at SF-01173 ("State Farm lawyer and lobbyist Bill Shepherd was instrumental in the foundation of [ICJL and JUSTPAC] . . ."); 2005 Pet. for Cert. at SF-01213 (same); <i>id.</i> ("Mr. Murnane and his State Farm-funded and supported groups had recruited Justice Karmeier to run [and] they financed his race with massive contributions. For example, JUSTPAC gave Justice Karmeier . . . \$1,119,453 . . ."); 2006 Reply Pet. for Cert. at SF-01272 (referring to "\$1,191,453 [given by] JUSTPAC [to Justice Karmeier]" (which . . . is closely connected to State Farm)).</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (§§ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"Karmeier's finance chairman, Dwight Kay, confirmed the connection between JUSTPAC and Karmeier in an email from January 22, 2004 in which he equated a contribution to JUSTPAC as a contribution to Karmeier." (¶ 81)</p>	<p>2011 Pet. Reply at SF-01586 ("Justice Karmeier's finance chairman, Dwight Kay, confirmed in an email that a contribution to JUSTPAC was equivalent to a contribution to Justice Karmeier's campaign."); 2005 Condt'l Mtn. at SF-00737-38 ("91.5% of JUSTPAC's transfers, in-kind contributions, expenses, and donations during the 2004 election cycle went to the Karmeier campaign.") <i>id.</i> at SF-00744 ("[A] contribution to JUSTPAC was a poorly blinded contribution to Karmeier"); 2005 Pet. for Reh'g at SF-01173-74 ("[D]onations [to JUSTPAC] . . . were, the equivalent of direct contributions to Justice Karmeier's campaign.").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"In deposition testimony in unrelated litigation . . . Robert Engstrom, Jr., Vice President of Political Affairs for the US Chamber's Institute for Legal Reform, identified Edward Rust, State Farm CEO, as part of the US Chamber's leadership team that selected judicial campaigns to target in 2004. Illinois was prioritized as a 'Tier I' race. The Karameier-Maag race was the only major judicial race in Illinois that year, thus making that race the 'Tier I' priority race." (¶ 82)</p>	<p>2011 Pet. ¶ 50, at SF-00120 ("[D]eposition testimony in unrelated litigation identified State Farm CEO Ed Rust as part of U.S. Chamber of Commerce leadership team that selected judicial races to target in 2004. Illinois was prioritized as a 'Tier I' race. The Karameier-Maag race was the only major judicial race in Illinois that year, thus making that race the 'Tier I' priority race."); 2005 Condt'l Mtn. at SF-00737 ("The [U.S.] Chamber . . . contributed well over \$1 million to the Karameier Campaign through donations to the Illinois Republican Party It is significant that James Rutrough, State Farm Executive Vice President and Chief Administrative Officer sits on the Chamber . . . Board of Directors."); <i>id.</i> at SF-00742 ("Edward Rust plays a large role in determining ICJL's activities such as 'changes in the judiciary – and some judges,' which included the Karameier/Maag campaign."); 2005 Condt'l Mtn., Ex. 7, at SF-01316 ("[The] U.S. Chamber . . . was preparing to spend as much as \$2 million in Illinois judicial races [in 2004]"); 2005 Mtn. for Recon. at SF-01109 (referring to "plans of the United States Chamber . . . to elect business-friendly judges to state supreme courts . . . in 2004" and the Chamber's support of Justice Karameier's campaign); 2005 Pet. for Reh'g at SF-01174 ("[T]otal donations by the U.S. Chamber . . . of over \$1.3 million [were made] to the Republican Party, which were then in turn passed directly on to Judge Karameier's campaign State Farm employees are Directors of [the Illinois and U.S. Chambers]"); 2005 Pet. for Cert. at SF-01214 (same).</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"State Farm contributed \$1 million to the US Chamber, which then contributed \$2.05 million to the Illinois Republican Party, which then contributed nearly twice that amount to Karmeier. Thus, State Farm's \$1 million donation to the US Chamber in Washington DC wound up back in Illinois after the US Chamber contributed more than twice that sum to the Illinois Republican Party, which, in turn, promptly paid for nearly \$2 million in media advertisements for Karmeier. Yet, the \$1 million donation was never disclosed by State Farm as part of its "quite modest" support." (¶ 83)</p>	<p>2011 Pet. ¶¶ 50-51, at SF-00120 ("State Farm contributed \$1 million to the U.S. Chamber, which contributed \$2.05 million to the Illinois Republican Party, and the Illinois Republican Party contributed \$1,922,294 to Justice Karmeier's campaign. State Farm's \$1 million donation to the [U.S. Chamber] in Washington DC wound up back in Illinois after the U.S. Chamber contributed more than twice that sum to the Illinois Republican Party, which promptly paid the bill for nearly \$2 million in media advertisement for Justice Karmeier. . . . Significantly, the 'round-trip' made by State Farm's \$1 million U.S. Chamber donation was not disclosed by State Farm as part of its claim of 'quite modest' support toward Justice Karmeier's campaign.); 2005 Condt'l Mtn. at SF-00737 ("The [U.S.] Chamber . . . contributed well over \$1 million to the Karmeier Campaign through donations to the Illinois Republican Party It is significant that James Rutrough, State Farm Executive Vice President and Chief Administrative Officer sits on the Chamber of Commerce's Board of Directors."); 2005 Pet. for Reh'g at SF-01174 (similar); 2005 Condt'l Mtn., Ex. 7, at SF-01316 ("[The] U.S. Chamber . . . was preparing to spend as much as \$2 million in Illinois judicial races [in 2004]"); 2005 Pet. for Cert. at SF-01214 (same); 2005 Mtn. for Recon. at SF-01109 ("The [U.S.] Chamber . . . [donated] . . . almost all of their \$2,050,000 . . . to Judge Karmeier's campaign."); 2006 Reply Pet. for Cert. at SF-01272 (referring to contributions to U.S. Chamber and other organizations and stating that "large amounts of State Farm's money in fact went directly and indirectly to support Justice Karmeier").</p>

<i>Hale</i> Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)	Prior Filings in <i>Avery</i> (Ill. and U.S. Sup. Cts. 2005-06, 2011)
<p>"With State Farm's \$1 million in-hand, on October 20, 2004, the US Chamber contributed another \$950,000 to the Illinois Republican Party, followed by \$350,000 two days later." (¶ 84)</p>	<p>2011 Pet., 7/30/11 Wojcieszak Aff. ¶ 54, at SF-00298 ("With State Farm's \$1 million in-hand, on October 20, 2004, the U.S. Chamber contributed \$950,000 to the Illinois Republican Party, followed by another \$350,000 two days later (a total of \$1,300,000)."); 2005 Condt'l Mtn. at SF-00737 ("The [U.S.] Chamber . . . contributed well over \$1 million to the Karmeier Campaign through donations to the Illinois Republican Party . . ."); 2005 Pet. for Reh'g at SF-01174 (similar); 2005 Condt'l Mtn., Ex. 7, at SF-01316 ("[The] U.S. Chamber . . . was preparing to spend as much as \$2 million in Illinois judicial races [in 2004] . . ."); 2005 Mtn. for Recon. at SF-01109 ("The [U.S.] Chamber . . . [donated] . . . almost all of their \$2,050,000 . . . to Judge Karmeier's campaign); 2005 Pet. for Cert. at SF-01214 (discussing U.S. Chamber donations); 2006 Reply Pet. for Cert. at SF-01272 (referring to contributions to U.S. Chamber and other organizations and stating that "large amounts of State Farm's money in fact went directly and indirectly to support Justice Karmeier").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"In its September 19, 2011 filing with the Illinois Supreme Court, State Farm did not dispute that it gave the US Chamber \$1 million or, for that matter, that the Chamber contributed that sum (and more) to the Illinois Republican Party. . . . While it may not have been a State Farm-endorsed check that wound up in the bank account of Citizens for Karmeier, \$1 million of those funds originated from State Farm." (¶ 85)</p>	<p>2011 Pet. Reply at SF-01585 ("Next, State Farm does not dispute that it gave the U.S. Chamber \$1 million or, for that matter, that the Chamber contributed that sum (and more) to the Illinois Republican Party, or that the Illinois Republican Party contributed still more money to 'Citizens for Karmeier.' . . . It may not have been a State Farm-endorsed check that wound up in the treasury of Citizens for Karmeier, but it is undisputed that \$1 million of the funds originated from State Farm . . ."); 2005 Condt'l Mtn. at SF-00737 ("The [U.S.] Chamber . . . contributed well over \$1 million to the Karmeier Campaign through donations to the Illinois Republican Party . . ."); 2005 Pet. for Reh'g at SF-01174 (similar); 2005 Mtn. for Recon. at SF-01109 ("The [U.S.] Chamber . . . [donated] . . . almost all of their \$2,050,000 . . . to Judge Karmeier's campaign."); 2006 Reply Pet. for Cert. at SF-01272 (referring to contributions to U.S. Chamber and other organizations and stating that "large amounts of State Farm's money in fact went directly and indirectly to support Justice Karmeier").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"While Murnane was 'running the campaign' of Karameier, and using his official ICJL e-mail address – emurnane@icjl.org – for campaign-related activities, his professional time and expenses were not reported or disclosed as in-kind contributions to the Karameier campaign." (¶ 86)</p>	<p>2011 Pet., 7/30/11 Wojcieszak Aff. ¶ 42, at SF-00296 ("[W]hile Murnane was 'running the campaign' of Judge Karameier, and using his official ICJL e-mail address – emurnane@icjl.org – for campaign-related activities, Murnane's professional time and expenses were not reported, disclosed, or otherwise declared as 'in-kind' contributions to the Karameier campaign."); 2005 Cond't'l Mtn. at SF-00744 ("Murnane and ICJL not only ran Karameier's race but also heavily financed his campaign . . ."); 1/25/05 Wojcieszak Aff. ¶ 7, at SF-00306 ("I . . . knew Ed Murnane was calling all the shots in the Karameier campaign during 2003 and 2004."); 2005 Resp. to Opp. to Cond't'l Mtn. at SF-00872-73 ("Murnane in concert with State Farm lobbyist/attorney Bill Shepherd recruited Justice Karameier . . . and managed [his] campaign.").</p>
<p>"IRS Form 990 report from 2004 for the ICJL shows a grand total of \$718,965 in expenditures, which included Murnane's salary, benefits, and expenses (\$177,749), as well as media, advertising and fundraising, and other managerial expenses that almost exclusively benefited the Karameier campaign. None of the expenses were reported as in-kind donations by Citizens for Karameier in the reports it mailed to and filed with the Board." (¶ 87)</p>	<p>2011 Pet. ¶ 53, at SF-00121 ("[T]he Internal Revenue Service Form 990 report from 2004 for the ICJL (which was not available to Petitioners' counsel when the 2005 recusal motions were filed) shows that the ICJL had a grand total of \$718,965 for expenditures, including Murnane's salary, benefits, and expenses (\$177,749), as well as media, advertising, and fundraising, and other managerial expenses that almost exclusively benefited Justice Karameier's campaign, yet were unreported as in-kind donations by Citizens for Karameier."); 2005 Resp. to Opp. to Cond't'l Mtn. at SF-00873 ("[A]dditional evidence has been discovered which reveals the substantial work that Ed Murnane, the [ICJL], and their surrogates did on behalf of Karameier which did not have to be reported. . . [including] \$200,000 to \$230,000 to run . . . commercials.")</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"Including these unreported in-kind contributions from the ICJL to Karmeier's campaign increases the State Farm-influenced contributions to over \$3.2 million." (¶ 88)</p>	<p>2011 Pet. ¶ 53, at SF-00121 ("Along with the foregoing contributions, Petitioners have uncovered nearly \$719,000 of unreported in-kind contributions from the ICJL to Justice Karmeier's campaign which can be added to the \$2.5 million, raising the State Farm-influenced contributions to over \$3.2 million."); 2005 Resp. to Opp. to Condt'l Mtn. at SF-00873 ("[A]dditional evidence has been discovered which reveals the substantial work that Ed Murnane, the [ICJL], and their surrogates did on behalf of Karmeier which did not have to be reported.")</p>
<p>"State Farm-influenced contributions to Citizens for Karmeier exceed the \$3,260,452 accounted for above. State Farm CEO Rust, in his US Chamber leadership post, was able to insure that State Farm's \$1 million was steered back to Karmeier. Rust was also in a position to steer money from other corporate donors to the campaign, increasing the total State Farm-related contributions to Karmeier to \$4,200,417, or over eighty-seven percent (87%) of the \$4,800,000 reportedly raised by the Karmeier campaign." (¶ 89)</p>	<p>2011 Pet., 7/30/11 Wojcieszak Aff. ¶¶ 64, 66, at SF-00300 ("[T]he State Farm-influenced contributions exceed even \$3,260,452. Rust, in his U.S. Chamber leadership role of vetting and funding candidates, was able to make sure State Farm's \$1 million was steered back to Karmeier but he (Rust) was also in a position to steer money of other corporate donors to Karmeier's campaign. . . . Including the additional \$940,000 from State Farm influenced U.S. Chamber to Illinois Republican Party to Citizens for Karmeier increases the total sum for State Farm contributions to Karmeier to \$4,200,417."); 2005 Condt'l Mtn. at SF-00730 (alleging "'Big Business [made] a \$4.3 million investment in [the] election.'"); <i>id.</i> at SF-00742-44 (discussing JUSTPAC's \$1,000,000 in donations to Justice Karmeier and alleging Ed Rust's role with JUSTPAC); <i>id.</i> at SF-00744 ("[A] contribution to JUSTPAC was a poorly blinded contribution to Karmeier"); 2005 Pet. for Reh'g at SF-01173-74 ("[D]onations [to JUSTPAC] . . . were, the equivalent of direct contributions to Justice Karmeier's campaign").</p>

<i>Hale Complaint – "Factual Allegations Applicable to All Claims" (¶¶ 46-90) (S.D. Ill. 2012)</i>	<i>Prior Filings in Avery (Ill. and U.S. Sup. Cts. 2005-06, 2011)</i>
<p>"Karmeier knew the sources of his contributions. First, Karmeier campaign aide Adomite stated that Murnane informed Karmeier of day-to-day campaign operations, along with its fund-raising, and that Karmeier was on the office e-mail list, very active in his campaign, and aware of campaign activities. Adomite concluded he did not see how Karmeier 'could not have known the source of all campaign funds.' Second, Karmeier is a prominent sender/recipient of several emails that discussed fundraising and/or expenditures. And third, State Farm conceded that the Illinois Judicial Ethics Committee has advised judges that it is 'desirable' for them to know their contributors." (¶ 90)</p>	<p>2011 Pet. Reply at SF-01586-87 ("... Justice Karmeier's [sic] knew about State Farm's contributions to his campaign. Three critical pieces of evidence – and a Supreme Court Rule – combine to demonstrate that Justice Karmeier surely had such knowledge. <u>First</u>, Adomite said that Murnane informed Justice Karmeier of day-to-day campaign operations, along with its fund-raising and media relations, and said that Justice Karmeier was on the office e-mail list, was very active in his campaign, and was aware of his campaign's activities. Adomite stated that he did not see how Justice Karmeier 'could not have known the source of all campaign funds.' ... <u>Second</u>, Justice Karmeier is a prominent sender/recipient on several emails ... , including emails which discussed fundraising and/or expenditures. ... <u>Third</u>, State Farm concedes that the Illinois Judicial Ethics Committee has advised judges that it is 'desirable' for them to know their contributors. ... "); 2005 Cond't'l Mtn. at SF-00739-40 ("Justice Karmeier ... was told specific names of contributors and the amounts they donated by his campaign."); <i>id.</i> at SF-00740 ("Justice Karmeier discussed campaign donations – who made them and how much they gave – with Ed Murnane.")</p>